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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/595,533	06/16/2000	Steven P. Meyer	10826-07	1105

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EXAMINER

BANANKHAH, MAJID A

ART UNIT	PAPER NUMBER
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2127

DATE MAILED: 07/17/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

3

Office Action Summary

Application No.

09/595,533

Applicant(s)

MEYER ET AL.

Examiner

Majid A Banankhah

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 16 June 2000.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-26 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-26 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____.
- 4) ☐ Interview Summary (PTO-413) Paper No(s). _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

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1. This office action is in response to application filed on June 16, 2000, Claims 1-26 are considered for examination.

2. Claims 25 and 26 are objected to because of the following informalities. In claim 25 in line 25, the claim is finished with a period while there should be semicolon. Additionally, in claim 26, line 3 after comprising there must be a semicolon. Appropriate correction is required.

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

4. Claims 1-26 are rejected under 35 U.S.C. 102(e) as being anticipated by West et al. (U.S. Pat. No. 6,538,996 hereinafter West).

Per claims 1, 20, and 24, the reference of West et al. teaches: A system for providing a **private communication portal for a user (See West, col. 8, lines 12-33, providing a user name and password over the data path, also, coupling the IP-based network layer software on remote computer, additionally, see, col. 4, lines 58, 68, continued on col. 5, lines 1-19, FIG.1 path 100-120-140-110) comprising:**

a) a first computer comprising a communication facility wherein said first computer is associated with a network of computers (West, FIG.3, 110, Router 331, corporate communication system, and LAN 340): and

b) second computer comprising a locating facility for locating said first computer wherein said second computer is associated with said network (West, col. 5, lines 59-68, continued on col. 6, lines 1-34, Figs. 2(a-c))

wherein said locating facility is responsive to a third computer for locating said first computer for communication between said first and third computers (col. 5, lines 59-68, continued on col. 6, lines 1-34): and wherein said private communication portal provides a private server at said first computer(col. 6, lines 22-34, choice preconfigured by an administer of the system ...).

Regarding microprocessors in claim 20 a(i), and b(i) the reference of West inherently teaches of microprocessor in FIG. 3 ((100, 110)

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Per claims 2 and 21 the system of West teaches of database and providing means for remotely accessing said database (West, col. 8, lines 34-41, a database and said system provides means for remotely accessing said database).

Per claims 3 and 22 communication facility further provides means for setting the communication settings of said communication facility, and said system provides means for setting said communication settings remotely (West, col. 8, lines 22-58).

Per claim 4, means for making the current location of the first computer known to the second computer (col. 5, lines 20-41, and col. 8, lines 22-58).

Per claim 5, a) means for communicating the current location of the first computer provided by said communication facility; and

b) means responsive to said means for communication, the current location of the first computer provided by said second computer (col. 7, lines 54-58, data path through Internet 130 terminates at a second router 326 that couples Internet 130 and corporate communication system 140, also, (col. 7, lines 36-44, col. Tunnel server IP address of the Tunnel server, col. 13, lines 40-50).

Per claims 6-7 and 23, dynamic location directory associated with said locating facility, wherein said dynamic location directory provides means for providing the location of said first computer on said network and means for updating said location to provide the current location of said first computer on said network (col. 5, lines 59-66). wherein said locating facility updates said current location periodically (col. 11, lines 54-64, A monitor 743 can process the information in log 742 and use this information to update corporate database 774. For example, if a particular access path has repeatedly been inaccessible to remote computers, the telephone access number for that path may be given a very high cost so that remote computers avoid needlessly trying to connect through that access number).

Per claim 8, said system further comprises a security facility for restricting access to said communication facility to said user only (West, col. 28, lines 32-41, However, in order to maintain security, the password for that user is kept by authentication server 750 and not distributed to the delivery services. Instead, delivery b passes the received A, N0, and H(P,N1), and the random challenge N1 that it generated, to authentication service provider 750 (2156). Authentication service provider holds a password, P.sub.A, for user A).

Per claim 9, communication facility further comprises a communication interface for sending and receiving data communications (col. 9, lines 19-28, various data communication protocols, and an NDIS interface 549 provides an interface to direct access network 125).

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Per claim 10, communication facility interfaces with data generating facilities to provide said remote access to said database (col. 8, lines 12-21, FIG.3, and FIG.5, (512), also see col. 9, lines 49-6).

Per claim 11, communication facility further comprises a unified messaging facility for processing and managing messages in co-operation with said communication interface (col. 11, lines 4-24,).

Per claim 12, communication facility further comprises a contact information facility (col. 6, lines 39-60, communication characteristic and path information).

Per claim 13, communication facility further comprises a remote message management facility (col. 11, lines 4-24, management server 334, and remote message).

Per claim 14, remote message management facility provides means for reading; replying and managing said messages remotely (communication between remote computer 100 and local computers).

Per claim 15, remote message management facility is provided by said unified messaging facility and contact information facility in co-operation (FIG3, management server, Router 331, Router 326, and Router 322, also col. 8, lines 23-59).

Regarding the "first computer comprising a microprocessor and communication interface" in claim 24, please see, FIG.3, and FIG.5, (512), also see col. 9, lines 49-68 (In the user interaction described above, the graphical user interface, and specifically the dialog boxes shown in FIGS. 2(a)-(c), are generated and controlled by a user interface (UI) 512. An automation server 510 interacts with UI 512 and coordinates user interaction and establishment of a connection, and later provides services if a connection is lost. A module, access 550, makes use of a local database 552 and provides information required by other modules. A principal function of access 550 is to provide automation server 510 with information needed to establish a connection path to corporate communication system 140).

Per claim 25, a computer product for use in association with a server computer for facilitating a private messaging portal dedicated to a remote computer, wherein said server computer and remote computer are connected to a network of computers, said computer product comprising **((See West, col. 8, lines 12-33, providing a user name and password over the data path, also, coupling the IP-based network layer software on remote computer, additionally, see, col. 4, lines 58, 68, continued on col. 5, lines 1-19, FIG.1 path 100-120-140-110) :**

- a) a communication interface (FIG.3, and FIG.5, (512), also see col. 9, lines 49-68);
- b) authorization facility (col. 10, lines 1-28, authorization);

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c) locating facility associated with said communication interface for receiving the current location of said remote computer and storing said current location into a directory (West, col. 5, lines 59-68, continued on col. 6, lines 1-34, Figs. 2(a-c));

wherein said communication interface receives requests from a third party computer for communication with said remote computer (col. 11, lines 4-24);

wherein said authorization facility determines whether said third party computer is authorized for communication with said remote computer (col.11, lines 25-36); and wherein said communication interface initiates a communication session between said remote computer and third party computer authorized for communication with said remote computer; communication facility is responsive to said second computer for establishing a communication session with a third computer once said location of said first computer is provided to said second computer (col. 12, lines 23-68, continued on col. 13, lines 1-2); and

wherein said computer product provides in co-operation with said private communication portal a private server at said remote computer (automation server, col. 12, lines 32-68-continued on col. 13. lines 1-2).

Per claim 26, a method of providing a private communication portal at a first computer wherein said first computer is associated with a network of computers, said method comprising:

a) providing said first computer with a communication facility wherein said communication facility provides means for communicating the current location of the first computer to a server computer associated with said network (automation server, col. 12, lines 32-68-continued on col. 13. lines 1-2);

b) providing said server computer with a locating facility for locating said first computer, wherein said locating facility is responsive to said means for communicating the current location of the first computer (West, col. 5, lines 59-68, continued on col. 6, lines 1-34, Figs. 2(a-c));

c) storing said current location into a directory associated with said locating facility (col. 5, lines 59-66);

d) facilitating a communication session between said first computer and a third computer by means of said locating facility by authenticating said third computer for communication with said first computer and locating said first computer (West, col. 28, lines 32-41, However, in order to maintain security, the password for that user is kept by authentication server 750 and not distributed to the delivery services. Instead, delivery b passes the received A, N0, and H(P,N1), and the random challenge N1 that it generated, to authentication service provider 750 (2156). Authentication service provider holds a password, P.sub.A, for user A).

5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject

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matter pertains. Patentability shall not be negated by the manner in which the invention was made.

6. Claims 16-19 are rejected under 35 U.S.C. 103(a) as being unpatentable over West et al. (U.S. Pat. No. 6,538,996, hereinafter West) in view of Sarkissian et al. (U.S. Patent No. 6396849).

the reference of West, while teach of message communication between local computer and remote computer (See, the rejection of claims 11-15 above), he fails to explicitly teach of messages comprise e-mails, facsimiles or voice mails, and unified messaging facility comprises an e-mail message facility, unified messaging facility further comprises a fax message management facility, and unified messaging facility further comprises a voice message facility. However, Sarkissian teaches of a system and method by which voice/data communications occur in multiple mode protocols and facilitate the messaging of voice/data and facsimile over a wide variety of communication systems including interface for a plurality of communication devices for the particular and complete office/work environment and infrastructure (See, col. 6, lines 20-65). The system of Sarkissian operate over a Voce/data service network which may include private, local or long distance carrier network, Internet, Intranet.

Therefore, it would have been obvious for one ordinary skill in the art at the time the invention was made to incorporate variety of application functions in the messaging system of West in order to provide a full capability of location network services and decrease the use of network system.

One ordinary skill in the art would be motivated because enabling such multiple mode/protocol voice/data transmission to be intelligently managed and control with a single integrated system (See, Sarkissian, col. 2, lines 19-37).

7. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

8. Any inquiry concerning this communication or earlier communications from the examiner should be directed to **Majid A. Banankhah** whose voice telephone number is **(703) 308-6903**. A voice mail service is also available at this number.

All response sent to U.S. Mail should be mailed to:

**Commissioner of Patent and Trademarks
Washington, D.C. 20231**

Hand-delivered responses should be brought to Crystal Park Two, 2021 Crystal Drive, Arlington, VA, Six Floor (Receptionist). All hand-delivered responses will be handled and entered by the docketing personnel. Please do not hand deliver responses to the Examiner.

All Formal or Official Faxes must be signed and sent to either (703) 308-9051 or (703) 308-9052. Official faxes will be handled and entered by the docketing personnel. The date of entry will correspond to the actual FAX reception date unless that date is a Saturday, Sunday,

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or a Federal Holiday within the District of Columbia, in which case the official date of receipt will be the next business day. The application file will be promptly forwarded to the Examiner unless the application file must be sent to another area of the office, e.g., Finance Division for fee charging, etc.

Any inquiry of a general nature or relating to the status of this application should be directed to the Group receptionist whose telephone number is (703) 305-9600.

Maid Banankhah

7/13/03


MAID BANANKHAH
PRIMARY EXAMINER